

# HPM&B

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December 29, 2016

## VIA ECF

Hon. James C. Francis  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Robert Derek Lurch Jr. v. City of New York, Unknown Officers, NYC Health and  
Hospitals Corp., M.D. France Chaput and R.N. Maria Marquez  
Docket No.: 16 CV 2517  
Law Manager No.: 2016-000389  
Sedgwick File No.: 10560  
Docket No.: 16 CV 2517  
Our File No.: 120-2130

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Dear Judge Francis:

Heidell, Pittoni, Murphy & Bach, LLP represents New York City Health and  
Hospitals/Bellevue, Dr. France Chaput and Maria Marquez, R.N., in this action brought by *pro*  
*se* plaintiff Robert Derek Lurch, Jr.

We write in response to Mr. Lurch's letter dated December 19, 2016, in which he  
contends that defendants are in default for failing to answer his complaint. Pursuant to Your  
Honor's Order of December 12, 2016, defendants are to respond to the Court's Valentin Order  
by January 23, 2017, and plaintiff shall submit an amended complaint within 30 days of our  
response. Defendants are then required to answer or move against the amended complaint within  
30 days after it is filed. Accordingly, defendants are not in default.

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HEIDELL, PITTONI, MURPHY & BACH, LLP

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As always, we thank the Court for its time and attention to this matter.

Very truly yours,



David A. Rosen

DAR/is

cc: **Via Certified Mail**  
**Certified Receipt No.: 7015 3010 0001 4987 5872**

Mr. Robert Derek Lurch, Jr.  
16-A-2468  
Franklin Correctional Facility  
62 Bare Hill Road  
P.O. Box 10  
Malone, New York 12953